

Remarks

Amendments to the Claims

Claim 1 is amended to incorporate the subject matter of claims 43 and 44, which are canceled; the dependency of claim 45 is changed accordingly. Claim 53 is amended to incorporate the subject matter of claim 55, which is canceled.

The amendments do not add new matter.

Rejection of Claims 53, 54, and 61 Under 35 U.S.C. § 102(b)

Independent claim 53 and dependent claims 54 and 61 stand rejected under 35 U.S.C. § 102(b) as anticipated by Esteller.¹ Claim 53 is amended to incorporate the subject matter of claim 55 (now canceled), which is not subject to the rejection.

Rejection of Claims 1, 43, 48, 53, 54, and 61 Under 35 U.S.C. § 103(a)

Independent claims 1 and 53 and dependent claims 43, 48, 53, 54, and 61 stand rejected under 35 U.S.C. § 103(a) as obvious over Esteller. Claim 1 is amended to incorporate the subject matter of claim 44 (now canceled), which is not subject to the rejection. Claim 53 is amended to incorporate the subject matter of claim 55 (now canceled), which is not subject to the rejection.

Respectfully submitted,

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¹ Esteller *et al.*, "Detection of Aberrant Promoter Hypermethylation of Tumor Suppressor Genes in Serum DNA from Non-Small Cell Lung Cancer Patients," *Cancer Res.* 59, 67-70, January 1, 1999.